(15) PRESERVED

App F IX 4

1949-50
(GM)

File No 6749

Serial Nos 1, 2

Previous References

ml 547 (516)

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Nil

Pa 43-E

Part B for Feb '50

SUBJECT

Bye-laws for the Registration and Control of Hackneys Carriages in the civil Station area, Bangalore

G O No 1 9039 — 40/47 21 2 '50

The Commissioner, Corporation of the city of Bangalore

Comptroller

Dear

Conveyance of Hackney Carriage

3147

Routine Notes

WD 01547—GPB—40 000— 9 12 42

permanent

[To be used only for notes, requisitions, etc, not intended for ~~permanent~~ record]

D4/5893

Letter No 7389-Jl 48-49
dated 4 9 48 from the
D C Bangalore District

1) The D C Bangalore requests that the Hackney Carriages Act 1879 (XIV of 1879) may be extended to the Civil Station by amending the Reference Area (Application of Laws) Act.

The letter is for perusal.

Said Reference is recorded in the orders passed in the linked file wherein a similar reference had been made in respect of the places of Public Resort Act.

2) The DC's request is for the orders

July 2 3/9/48 3) Please note whether the provisions of the Public Conveyances Act, correspond to the provisions of the Hackney Carriage Act, and whether there are any differences between the two enactments and whether the Public Conveyances Act now applies to the Civil Station

This may be worked up on a regular note sheet

Mas

Sri K.N.C

delinked and put up separately

NB — Should routine notes be written on small slips the notes must be copied or slips pasted on this form

C F 74]

Routine Notes

[To be used only for notes requisitions, etc , not intended for permanent record]

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

4) The D.C. Bangalore (Urban) States that in respect of Hackney Carriages in the Civil Station the Commissioner of Police has been the registering and supervising authority for over two decades and that under his supervision and control a high Standard of efficiency is maintained in working the Hackney Carriage Act. He also States that in order to ensure proper Control and maintain a good Standard of efficiency the police should Continue to have the powers which they had under the above Act. He therefore requests that the Hackney Carriage Act, 1879 (XIV of 1879) may be Continued in the Civil Station by amending Schedule B to the Notified Area (Application of Laws) Act, 1948.

5) As Stated by the D.C. Bangalore (Urban) the laws providing for the regulation and control of Hackney Carriages in the Civil Station from 1st April was the Hackney Carriage Act 1879 (Central Act XIV of 1879) The Municipal Commissioner of the Civil Station had made rules under this Act and by those rules, the Commissioner of Police had been entrusted with the work of

WD 02139—GPB—20 000—26 2 45

and supervision of the Hackney Carriages.

6) After the promulgation of the Rehoused Tree (Application of Laws) Act, 1948, the Hackney Carriage Act, 1879, like other similar Central enactments ceased to be applicable to any Central Station with effect from 15th P 48 The corresponding Mysore Act which became applicable to the Civil Station as Mysore Public Conveyance Act, 1941 (VII of 1941). The provisions of this Act have been compared with the provisions of the Hackney Carriage Act The Mysore Act closely follows the Central Act and appears to be based on it. The Vehicle which has been defined as a "Hackney Carriage" in the Central Act has been defined with a slight change in the wording as a "public Conveyance" in the Mysore Act There are also certain additional provisions in the Mysore Act, such as Sections 5, clause (c) of Section 7, and sub-section (2) of Section 8 The more important and material provisions of the Central enactment and the Mysore enactment are identical In the circumstances there does not appear to be any special advantage

F 65]

tinuation Sheet

Continuance of the Hackney Carriage Act in the Civil Station

File No
Current No 570 of Bk 3610 Page

the Continuance of the Central enactment in the Civil Station such Continuance will moreover continue a difference in law between the Civil Station and Bangalore City when the policy is to have as far as possible uniform laws in the two forbidden areas and the rest of Mysore

7) It would appear from the D.C's letter that he proposes the Continuance of the Hackney Carriage Act in the Civil Station so that the rules made thereunder which empower the Commissioner of Police to register Carriages may be continued in force As already stated this power is exercised in pursuance of the rules made under the above Act The effect of the repeal of the Hackney Carriage Act 1879 and the replacement of that Act by the Mysore Public Conveyance Act & the rules made under the former enactment is a question relating to the interpretation of law The Law Branch may also perhaps be consulted on this question

MRW 13/11

Law Secy

Law Br

Law Br

8/11

MRW 8/11

4456
13 NOV 1948
OF MYS

16/11

WD 02139—GPB—20 000—26 2 45

3610/Law

Hackney Carriage Act - f

C F 69]

Continuation Sheet 5 RL File No / Current No of

10) It is stated that the Mysore Public Conveyance Act, 1911 is fundamentally the same as the Hackney Carriages Act (which was in force in the Civil Station before 15th August 1948) Even then the rules and bye-laws framed in respect of the Hackney Carriages Act cannot be deemed to be rules and bye-laws in respect of the Public Conveyance Act, unless there is a provision that references to the rules and bye-laws in respect of the Hackney Carriage Act should be deemed to be rules and bye-laws in respect of the Public Conveyance Act The same rules and bye-laws could be reframed referring to the Public Conveyance Act Otherwise the suggestion of the Deputy Commissioner, Bangalore District to continue the Hackney Carriages Act may be considered

RECEIVED 19 NOV 1948 GC

fr 19/11

Lane Levy)

11) The deposition in reference to the Secretary's proposal is noticed. Before to note on the necessity of continuing the H C Act or otherwise

SK

29/11

fr 29/11

29/11 SK N G

12) If the rules could be reframed under the Hackney Carriage Public Conveyance Act there will be no need to continue the Hackney Carriage Act The comments Bangalore Leech (illegible) will be requested

Continuance of the Hackney Carriage Act in the Civil Station — 7A/R — 15

to examine the question framed in consultation with the D & P and the D M (Bangalore Urban)...

13) In para 6 above, the provisions of the Mysore Public Conveyance Act, 1911, and the Hackney Carriage Act, 1879, have been compared. As the provisions of the two enactments are practically the same, there does not appear to be any special advantage in continuing the Hackney Carriage Act The question is however one for the Administrative Sectt (Municipal Branch) to decide

Jan 7/1/12/48

PARTIT
SUIS
2 DEC 1948

Mas
1 12 48

14) [illegible] 4/12

Law Secy

15) Does not the authority & the vesting of powers appl under the HC Act-primarily the power to issue licences etc appl to with the DSP

SR
3/12.

[illegible] 3/12

16) It is submitted that there is no difference between the provisions of the Hackney Carriage Act, 1879, and the Mysore Public Conveyance Act 1911, regarding the authority and vested with powers of administe the Act The Municipality has to make rules for the regulation and control of the vehicles in the manner in which it makes bye-laws for the regulation and control of other

matters

Continuance of the Hackney Carriage Act
the Civil Station, Bangalore
547/RL

Matters within the municipal limits - vide Section 3 of the Hackney Carriage Act, 1879, and Section 4 of the Mysore Public Conveyance Act, 1911

17) In the Civil station under the rules made by the Municipality in pursuance of Section 3 of the ~~Act~~ Hackney Carriage Act, the ~~Commr of Police~~ D S P (Comm's of Police) had been entrusted with the work of registering and controlling the said carriages. This is a work which he was doing for the Municipality under the rules, and was not one imposed on him under any Act

Mas
3 12 68

18) [illegible]
Law Secy)
Min Law) 19) RK
6/12
[illegible]
6/12

4 DEC 1948
GOVT OF MYSORE

20) What exactly is the recommendation — to retain as to ~~dise~~ repeal the HC Act? Specific recommendation to be made together with such details of what has to be done in pursuance of such recommendation
RK
6/1

Office of the Master for L:
No 2850
Dt 6/12

21) The recommendation of our Director Mages Board

RK
9/12
[illegible]
9/12

Sec KNC

4445/ML

Continuance of the Hackney Carriage Act in the Retroceded Area

547/RL

that the Hackney Carriage Act which was in force in the Retroceded Area till 15th August 1948 should be continued This is one of the Acts which have ceased to be in force in the Retroceded Area consequent upon the promulgation of the Retroceded Area (Application of Laws) Act, 1948 The corresponding law in force in Mysore, which has now become applicable to the Retroceded Area also from the 15th or August 1948, is the Mysore Public Conveyance Act, 1911 The provisions of ~~M~~ the Hackney Carriage Act and the Mysore Public Conveyance Act are practically the same

22) Both the enactments empower the Municipalities to make rules to regulate and control public conveyances In Bangalore City the Municipal authorities themselves ~~M~~ attend to this work In the Civil Station, the Municipal Commission had under the rules entrusted this work to the Superintendent of Police

23) The District Magistrate, Bangalore District (urban) considers that it is desirable that the Police should have this power, and hence the Hackney carriage Act may be continued in the Civil Station, when the rules thereunder will also continue

24) Since the Hackney Carriage Act has been repealed by the Retroceded Area (Application of Laws) Act, 1948 (LVII of 1948), the only way in which it can be continued in the Civil Station is by amending Act No LVII of 1948 with retrospective effect The question for consideration is whether such an amendment should be made, and this as a matter to be settled by the Administrative Secty, the L S & Branch

Submitted with reference to the ~~M~~ Minute of the Hon'ble Minister for Law and Labour at para 20 supra

Ka Protection Branch

Jag 9/12/48 mas 9 12 48

Law Secy

MRS 9/12

S 457 9/12/48

From MRS 11/12/48

25) Min Law Hom Ch Secy

SRL 11/12

MRS 11/12

4GW/mcl 6066/P&S

26) The continuance of the Hackney Carriage Act in the Civil Station, applies the amending of Act No L VII of 1948 retrospectively, which entails delay in view of its having to go before the Legislative Council in the form of a bill when the law opinion is specific that the Hackney Carriage Act and the Public Conveyance Act are almost idential, it is administratively more convenient to frame fresh rules and bye-laws under the new Public Conveyance Act than revive the Hackney Carriage Act which at present stands annulled, if the objective is one of merely continuing the police to exercise powers of registration and control over the carriages as heretofore, since this can easily be attained by the incorporation of a suitable clause in the new Rules or bye-laws tobe framed The prior consultation o the Inspector General of Police may however be necessary for this

27) Further, the Civil Station area and the Bangalore City Municipality are going to be shortly combined into a single corporation and it may therefore be convenient and desirable to have uriform laws in both the areas during the intervening period In this view it may perhaps be better that fresh Rules and Bye-laws are framed under the Public Conveyance Act by the Municipal Commission than amend Act No LVII of 1948 retrospectively

5822

23/12

28) The I.G.P may be consulted very Early

Push By)

25/12

OR

29) Forwarded with compliments to the Inspector General of Police for favour of ... very early

INSPECTOR GENERAL OF POLICE 4 JAN 1949 BANGALORE

28/12/48

By Order

for Chief Secy to Govt

10 8672

U O No G. 5.24/48-49

Returned with compliments

30) The Public Conveyance Rules of the Bangalore City Municipality may be introduced into the Civil area, with necessary amendments ~~and the~~ Power to enforce these rules may vest with the Police (Deputy Inspector General of Police, and the two District Superintendents of Police - Bangalore City and Civil Station) as ~~for~~ hitherto being done in the civil area This would have the desired effect of bringing the Hackney carriages of all description under proper control and discipline which is lacking now

INSPECTOR GENERAL OF POLICE

11/3 15/11/3

CHIEF SECRETARY 71 15/11/1913 GOVT OF MYSORE

V B

Please put up a copy of Public Conveyance Act & the Bye laws by 16/3

e public Conveyance Act put up The Bye laws are not available in The Records The ML Branch may be asked to put a copy of the laws

31) Law Municipal Branch may be requested to put up a copy of the rules & Municipal bye laws of Bangalore city for disposing of the present proposal The copies are not available in the General Records,

18/3

CS 21/3

32) As Mwfy

33) Pl comply & forward action

21/3/49

Clause 11. Continuance of Hackney carriage 8072.
Act in Relinquished Area

34) ~~Put up with~~ A Copy of the ~~rules and byelaws~~ Public Conveyance Rules of the Bangalore City Municipality as put up

Flm 23/3/49 Pr-3349

34) Approved way for Home dept

CS 24/3

35) The Bangalore City Municipality have framed bye-laws under Section 4 of the Mysore public Conveyance Act to regulate & Control the public conveyances in the City Under These bye laws the Commissioner of the Municipality is the registering authority & has power for regulation & control of public conveyances The DH Bangalore Dr (Urban) proposes that this sort of power ~~exercised by the Commr of the City Municipality~~ which was being exercised by the Commr of police Relinquished Area may be vested with the Commr of police now by Continuing the Hackney carriage Act as suggested in para 26 & 27 supra & agreed by the D G of police it may perhaps be better if these bye-laws are framed by the Municipality, Civil Area & the power of registration & control is vested with the police

Continuance of Hackney Carriage Act in Civil Station

17

Sec Dep Mash Bangalore Dist Cuddapah) may be asked what is the legislation dealing with the regulation of municipal matters in the Civil Area and to send a copy

6 25/3 of the Draft letter is submitted for approval

36) It does not appear to be necessary to issue the letter the opinion of the General Secretary in para 27 might be agreed to

CS 28/3

Ch Secy

37) Minister Chief Minister Home Chief Secy Sec

CS 28/3

28/3

4/4/49

CHIEF SECRETARY 8912 28 MAR 1949

Dat Rec'd 2/4 SECRETARY APR 1949 4471 Date 6/4/1949

38) I agree with the views of the Law Secretary expressed in para 2 & the rules & Regulations may be framed under the Public Conveyance Act by the Govt Commissioner thereunder & 1948 & retrospectively

17/4/49

Office of the Chief Minister No 4046 Date of Receipt 19 4 49 21/4

39) 11/4/49

40) Rec'd 19 4 49

Police 8072
0048

Continuance of Hackney
Carriage Act in Reserved Area

(Min's Home) 41) MS 21/4

GB 21/4

41) I feel that the matter must be carefully examined before final actions taken. We advise in the Cum Station, as from experience we better can in the city realise of the nature view of the people one of the real world has to deal with if it is better if it exists in the city D-J-G thus avoid Uniformity ensure as well Uy.

Min for Mutter 22/4 WJC

42) This may be examined

43) GB 30/4 Chief Secy 1/5 MS 8/5 GB 8/5

29/4/42

T E MI STE" FOR CITY
IUN CIPALITIES AND MUZRAI
No 4783
D 25/4/1919

CHIEF SECRETARY
16183
2 MAY 1919
MYSORE

12935

Continuance of Hackney Carriage Act in Civil Station

45) The Commr of Police, Civil Station has to be empowered to control & register the vehicles The Legis Br may be consulted to examine how best could be done

4/5

46) Legis Branch may be consulted

4/5

47) The position has been already very clearly explained in the discussions of the Law and Legs Sects If it is felt that the D&C city should be empowered to act, the City Municipality and the Municipal Commissn Civil Station will have to suitably amend the Bye-laws or Rules framed by them under Section 4 of the Public Conveyance Act — which is practically the same as the Hackney carriage Act — to give the requisite powers to the D&C Before doing so, it may be necessary to extend the provisns of Section 4 of the PC Act to the retroceded area Further action in consultation with the Municipalities concerned has to be taken in the ML branch May be transmitted to GI Secy

6/5

Chief Secy

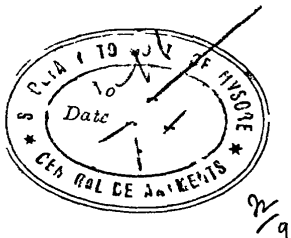
1/5

RETAF 10349 CHIEF SECRETARY GOVT OF MYSORE

4445 / 8072 / 48

Police

Delegation of powers to Dy Dir Hackney Carriage Act to see renewal — Cantt Area



4 7) 5/5/49

Dy Secy

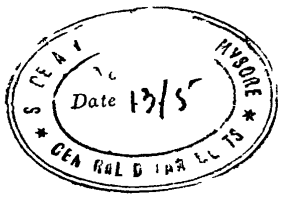
4 8) 5/5/49

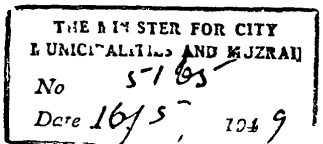
Dy Secy

4 9) 14/5/49

Under City Municipal Act

5 0) approved 20/5/49





To

5 1) Dy Secy 20/5/49

The Dy Commr, Bcre Cantt

Govt L 13803/Rev II-48-2 dy 25.5.49

Copy sent for ~~action~~ information & necessary action under the Police Conveyance Act

1) Copy to the Addl Commr Bcre Cantt

2) The D.S.P

Secy A 31/5/49

General and Revenue Secretariat | File No | of 194

Serial No

From the President, ~~Municipal~~ Municipal Commissioner Civil Station Bangalore

No A 1/80.6/48 & 5-7-48

Requires the report called for

54) submitted with reference to paras 47 & 50 supra

53) In view of the resolution passed by the Municipal Commissioner, Civil Station, Bangalore & the ~~Chairman~~ President of the ~~Municipal Council~~ Municipal Commissioner, it is for orders whether action may not be taken to extend the provisions of ~~the Act~~ the Mysore public conveyance Act to the municipal limits of the civil area also, the same being given effect to retrospectively from 15th August 48

A

~~The former~~

54) The Legal section may be consulted as to whether the form of notification proposed by the President to

B

—Contn Sheet

4665 / 8072 / 48

Delegation of powers - to Dy Dir Hackney Carriage Act to see renewal — Cantt Area

47) 5/5/49

48) Ltr to the Dy. B'lore Cantonment Bd for approval

13/5/49

49) 14/5/49

50) approved 20/5/49

51) Issue action

To the Dy Commr, B'lore Cantonment Bd

Govt L 13803/Rev II-48-2 dt 25.5.49 for disbursement to Cantt Bds under the Police Encouragement Act

1) Copy to the Dy. Commr B'lore for info

2) The D.S.P

Dis A 31/5/49

Genoyal and Revenue Secretariat | File No 16 of 194 / A/F 1 1 1

Serial No

From the President, Municipal Commissioner, and Station Bangalore

No A 1/506/48 & 5-7-48

Forwarding the report called for

52) submitted with reference to paras 47+50 supra

53) In view of the resolution passed by the Municipal Commissioner, and Station Bangalore & the President of the Municipal Council, it is for orders whether action may not be taken to extend the provisions of the Bombay public conveyance Act to the municipal limits of the civil area also, the same being given effect to retrospectively from 15th August 48

A

54) The Legal section may be consulted as to whether the form of notification proposed by the President to

B

Note—Contn Sheet

extending the provisions of the
4445 Public Conveyance Act
V220 to civil station

File No. of 194 | Serial No | General and Karar Secretariat

be issued in this behalf,
as in order

55) As regards amending the
rules of the bangalore cy-
immunfalig framed under
the public conveyance Act
in order to bring them in conformity
with the rules obtaining in
the civil station with a view
to empower the D J & P of Bang-
lo enforce the rules, the matter may be
considered after the receipt of
reply from the Bang mlg

C
may be
amended
for

56) A, B & C are for orders

Sd
13/7
13/7/49

57) Proposals at A & B
appear maybe approved
Consultation with the Law section
in view of the detailed explanation
given by the President the commissioner,
civil station, allow for the application of
the express civil conveyance act to the
civil station

endorsement from
13/7/49

58) Secretary to Govt Home Department
Bangalore City recommended
through Law Secretary
Secretary

Sd
14/7/49

Sd
15/7

SECRETARIAT OF STATE DEPARTMENT
15 JUL 1949
GOVT OF MYSORE

SECRETARY TO GOVT OF MYSORE
No
Date 16/7
GENERAL DEPT

WD 02353—GPB—30 000—11 5 48

393/Law

General and Revenue Secretariat | Public Company | File No | of 194 | App F 112

Serial No

Re A -

59) Kind reference is invited to paras 10, 21 to 24 and 27 supra a notification has to issue under sec 4 of the Public Conveyances Act extending the provisions to the Civil station As regards the question of retrospective effect, it may be stated that under the Retrocession (Application of Laws) Act the Hackney Carriages Act ceased to be in force in the Civil station and the Public Conveyances Act was not extended with the result that there was no such law in force in that area at all In the circumstances, a notification is necessary but it cannot have retrospective effect as the Rules contain several penal provisions

Re B -

60) The notification may be scrutnised by the Legislation Branch

336
9 JUL 1969
VT OF INDIA

Law Secy) 5/19/7
Legis Br
Legis Br Rel B
RSV 21/7
M 21/7

Sh Kang
mas
21 Cg

61) As stated above by the Law Dept, the Act can not be made applicable by issue of a notification under S 4 of the Public Conveyances Act the administrative Dept will be requested to put up a draft bill and send it on for Secretary It cannot have retrospective effect as the Law Dept have stated that the Act cannot be given effect

A

Note—Contn Sheet

A/Notary Act Public Conveyances Act

File No L Cont Section of 194 547/L

General and Revenue Secretariat

Serial No

Office of the Minister for Law & Labour

No 477

Date 25/7

Respectively

62) Said reference is invited to Section 4 of the Public Conveyances Act after the Act is applied to the Municipality, it is the Municipality that has to frame rules. They have to be framed afresh and the rules under the Stachmay Conveyances Act cannot be deemed to have been framed under the Act since the procedure prescribed for framing bye laws has not been followed, Public Conveyance Act as has been stated in the letter sent by the Bangalore & Basavanagudi Bangalore Municipal Commissioner If approved the administrative Secretary will be informed accordingly.

Seen 21/7/49

Mas 22/7/49

63) Law Secy 22/7

64) [illegible] 22/7/49

Min for Law

65) [illegible] 25/7

Genl Secy 25/7

GOVT OF MYS 62) 22 JUL 1949

[illegible] 26/7

[illegible] 27/7/49

WD 02853—GPB—30 000—11 5 48

General and Revenue Secretariat

File No 220/ml of 194

Serial No

220/ml Application of the Mysore public conveyance Act to the civil station, Bangalore.

180/R1

66) A draft notification is put up with reference to para 61 above

67) As regards the note in para 62, a separate draft letter is put up to the Pol. Civil station Mily.

Hon 29/7 Pr 29749

68) For favour of perusal the draft notification is submitted (vide A in pencil thereon)

Asst Secy Legis Sec'y

29 7 49

69) The file may be referred to the Head of the Legislative Dept. (the Law Secy) through the Administrative Secy

Asst Secy Ld Govt

Ad Secy

70) Law Secy

71) The ~~revised~~ draft as revised is for consideration the Act comes into force only from the date of publication of the notification

Note—Contn Sheet

3 AUG 1949
GOVT
KNG 7AG 4/8/49

Application for Public Conveyance
for a Car Stand

220 Cant.

File No 547 RR of 194

General and Revenue Secretariat

Serial No

Office of the Minister for [illegible]

No 8529

Date 6/8/49

SECRETARIAT [illegible]
1017
4 AUG 1949
[illegible]

71

in the Official Gazette unless some later date is fixed in the application. It cannot come into force earlier. This may perhaps be pointed out to the administrative Secy

Secy 2/8/49

Mas 4 8 49

Land Secy 4/8 7) 1884 5/8/49

Home Secy 7) 1884 6/8/49

Genl Secy WC 6/8/49

7) The draft rules as revised by the Law Secretariat may be approved. No date for the enforcement need be fixed, as it will come into effect from the date of publication in the Gazette

Genl Secy 10/8/49

GENERAL DEPARTMENTS
No Rev
Date 9/8

Dr 9/8

SECRETARIAT TO GOVT
No
Date 10/8

75) For approval

Dr 11/8/49

Home Secy 11/8/49

THE MINISTER FOR CITY MUNICIPALITIES AND BHUZRAI
No 619
Date 11/8/49 194

76) 11/8/49

SECRETARY TO GOVT OF MYSORE
No Rev
Date 11/8
GENERAL DEPARTMENTS

77) Home Secy to issue

Dr 11/8/49

WD 02853—GPB—30 000—11 5 48

UT1786/ad 2240/HL

Hackney Carriage Act No XIV of 1879
— continuance in the Civil Station —

To

The Comptr
Re Blue
Pdl Hll common Cstn
I G P
Pdl Hll common Cstn Blue
Noh 1868-72/HL-11-48-4 d 12-8-4
Issues Noh Cstn —

78) It is for orders if this may not be rescinded for the present
Ma
18/8/49) Pl keep it in this file
file 1/9/49 & then rescinded

18/8/49

Sig B
19/8

Proc

The prom draft, Pc and Station Circ No A1-806/49 dated 2-9-49 forwards for approval the framed draft Rules framed under the Cantonment public Conveyance Act

80) May be referred to the Legislation Branch for scrutiny of the draft Rules and furnishing opinion as to their suitability for adoption

24/9/49

1786/L Application for Public Conveyance
24, Hat to the Civil Station, Bldg

The copy of the draft bylaws now
received is much blurred and it is
difficult to decipher the same.
pl write for a clean copy for
further action

for
26/9/49

A draft letter is put up accordingly

Sd/d
6/10/49

for
7/10/49

issue

New President, M C Civil Station
Bangalore
L 4058/AD 8/10/49
calls for a clean
copy of the Bye-laws.

Sd/A
9/10

A draft reminder is submitted
for approval

8/10/50

17/2/50

2574 J3108/49 849/RL

Application of the Mysore public Conveyances Act to the new stations and the issue of rules thereunder.

Proc

The President of the new stations vide A.I. 806/49 dated 13 10 49 and dated 4 11 49

Forwards draft rules for the Regulation and Control of Hackney carriages in the new stations

These newly framed draft rules are proposed to be continued during the period of the existing corporation so far as each station is concerned and as such early sanction is requested thereto

2) The draft rules may be sent to the Legislation Branch for scrutiny and remarks as to their suitability for adoption

Done 18/11/49 3) may be sent to the Law Dept. of Legislative Branch for scrutiny & immediate return.

for Secy

11/11 Dy Secy

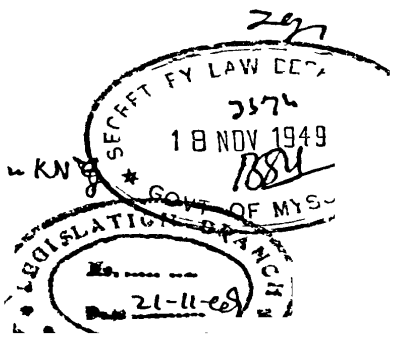
Dy. Secy

17/11 Ke

for 18/11 Dy

MRS 21/11

Cancelled



547

4445/Cultural
13/12

No.7389-Jl-48-49. Office of the Deputy Commissioner, Bangalore District (Urban), Civil Station, Bangalore 1, dated 4-9-1948

11-48

The Secretary to the Government of His Highness the Maharaja of Mysore, Law Department, Bangalore

Hackney Carriage Act, Act No XIV of 1879 - continuance of in the Civil Station

...

I have the honour to refer to Schedule B of the Retroceded Area-(Application of Laws) Act 1948 and to state that the Hackney Carriage Act in force in the Civil Station has not been continued among the other acts that are continued inthe station The Commissioner of Police, Civil Station has been the registering and supervising authority for the registration of hackney carriages and motor vehicles for over two decades and under his supervision and control a high standard of efficiency and control is maintained in working the Hackney Carriage Act It is proper that the police should have control over the registration of Hackney Carriages as better control over these vehicles can be exercised and a better standard of efficiency maintained The Municipal Law is retained and the Municipality has framed bye laws under the Hackney Carriage Act which is being worked by the Commissioner of Police It is therefore very necessary to continue this Act in the Civil Station and I request that orders of Government may please be obtained for continuance of the same and a notification issued including this Act in the Schedule B of the Retroceded Area (Application of Laws) Act 1948.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Bangalore District (Urban)

Approved grant Mysore Public Conveyance — under Conveyance Act to Civil Station and rules thereunder 869

3106

notwithstanding the fact from 1st Dec 1949 there rules stood to be unnecessary & Labo

if adopted, the administration could be improved accordingly,

Leg 28/11/49 5) The draft rules have been scrutinised 4283 MW and appear to be in order The references to hackney carriage throughout the rules have to be changed to "public conveyance" as this is the expression used in the Mysore Public Conveyance Act, 1911, and not "hackney carriage" as used in the Central Hackney Carriage Act, which was in force in the Civil Station of Bangalore prior to 15th August 1968

Mas 29 11 49

MW 30/11

Law Secy) 6) 1889 10/12/49 MW 12/12

Min for Law)

7) 1889 12/12 1/8/121 MW 18/12

SECRETARIAT NEW 30 NOV 1949 GOVT

Law To Govt To Revl Date 14/12

Genl Secy) MC

16/12/49

8) For orders if the Draft Rules may be approved with the modifications suggested by the Law Secretary

Law 19/12 MW

THE MINISTER FOR CITY MUNICIPALITIES AND AUZRAH No 2984 Date 27/12/49

may be approved

Genl Secy 21/12/49

Min City Municipalities

29/12/49

Govt 27/12

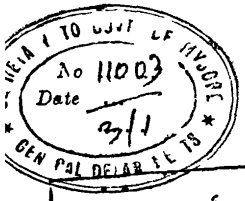
Govt to Govt of Mysore To Law 33 Date 29/12 GENERAL DEPARTMENTS

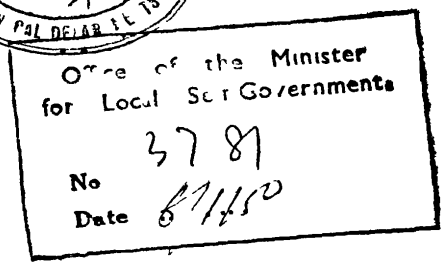
to the Central Station 25/14/... T 3108

Draft for above

Draft C is put up for approval

Copy 31/12/49





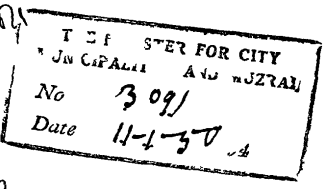
Encl 31/12/49

Min - Local Govt) Secy 5/1/50

Shri Gupta marked to the Hon'ble Minister for Local Self-Government

Secy 10/1/50

Min - Cabinet Secretariat) Secy 10/1/50



11/1/50

Secy 10/1/50

Do

Secy 12/1/50

The Commissioner, Corporation of the City of Bombay

Compliance

13/1/50 in reply to 9039-40/CM 6769-

Secy 21/1/50

Copy forwarded with compliments to:

1 The Commissioner of Police, & Provincial Transport Authority
2 The President, Municipal Commission, Civil Station, Bangalore

for favour of information.

4 Copies

No L.

13803 | Mk 11-48-42

To 415

The Dy Commr

B'lore (Cantt) Dt.

Pl type on half margin - except 1st para

Subject - Hackney Carriage Act

Act No XIV of 1879 - Continuance of in the ~~civil~~ station from 13549

Sir,

With Reference to your Letter No 7389-J1-48-49 dated 4 9 48 on the above Subject, I am directed to State that with the application of the Mysore public Conveyance Act, 1911, to the civil station area from 15-8-47 the Hackney Carriage Act has ceased to be operative. The Continuance of the Hackney Carriage Act in the civil station area is the amending Act L VII of 1948 Retrospectively which in brief is likely to be before the Legislature in the form of a Bill to remove unnecessary delay. Since the Hackney Carriage Act and the public Conveyance Act are almost identical it is considered advisable to frame fresh Rules and Bye-laws under the public Conveyance Act than revive the Hackney Carriage Act providing therein for the exercise of Registration and Control over the Carriages to vest in the police as heretofore.

Further as the civil station area

and the Bangalore city Municipality are to be Shortly Combined into a Single Corporation it would be Convenient and desirable to have uniform Laws on both the areas during the intervening period

The Inspector General of police who was Consulted on the Subject is of the opinion that the public Conveyance Rules of the Bangalore city Municipality may be extended into the Civil Station area, also with necessary modifications to suit the local conditions, powers to enforce these Rules being ~~vested~~ vested subsidiarily with the D.I.G city, Since this would ensure uniformity as well

I am to request you therefore to Consult the Municipal Commissioner Civil Station and arrange for fresh Rules and Bye-laws under the Mysore public Conveyance Act Temporarily vesting the power to enforce these Rules in the city D.I.G

Yours faithfully

Chief Secy to Govt

13/5/48

Memo No 13504/MUS/5-

Copy sent to the Commissioner Bangalore city Municipality, for information. The views of the Municipal Council may be obtained in the matter of vesting the power to enforce these Rules in the city D.I.G under Section 4 of the relevant portions of the present Bye laws so as to ensure a uniform Code of Bye laws for the city and Civil Stations, and Communicated to Govt early

By order

Section Officer

No 13505/MUS 5/5-

Copy sent to the D.I.G for information

L13803/HCII-48-2

25/5/49

To

The Deputy Commissioner,
Bangalore (Urban) District

Sir,

Subject Hackney Carriage Act--Act No XIV of 1879--continuance of in the Civil Station

---

With reference to your letter No 7389-J1 48-49 dated 4 9 48 on the above subject, I am directed to state that with the application of the Mysore Public Conveyance Act, 1911, to the Civil Station area from 15 8 48, the former Hackney Carriage Act has ceased to be operative The continuance of the old Hackney Carriage Act in the Civil Station area implies the amending of Act L VII of 1948 retrospectively which in view of its having to go before the legislature in the form of a Bill involves unnecessary delay Since the Hackney Carriage Act and the Public Conveyance Act are almost identical, it is considered administratively more convenient to frame fresh rules and bye-laws under the Public Conveyance Act, providing therein for the exercise of the powers of registration and control over the carriages to vest in the police as here-to-fore than revive the Hackney Carriage Act

Further as the Civil Station area and the Bangalore City Municipality are to be shortly combined into a single Corporation, it would be convenient and desirable to have uniform laws in both the areas during the intervening period

The Inspector General of Police who was consulted on the subject is of the opinion that the public conveyance ~~Rules~~ Act in force in the Bangalore City Municipality may be introduced into the

Civil Station area also with necessary modifications to suit the local conditions, powers to enforce these rules being vested ultimately with the D I G, City since this would ensure uniformity as well

I am to request you therefore to consult the Municipal Commissioner, Civil Station and arrange for fresh Rules and bye-laws under the Mysore Public Conveyance Act being framed on the lines of Rules in force in Bangalore City Municipality, vesting the powers to enforce these rules in the City D I G,

Yours faithfully,

for Secretary to Government,
General Department

Memo No L 13504 | HL 25 | 57

Copy of the above is forwarded with compliments to the Municipal Commissioner, Bangalore City Municipality, for information The views of the Municipal Council may be obtained in the matter of vesting the power to enforce these rules in the City D I G instead of in ~~him~~ as at present by suitably amending the relevent positions of the existing Rules and Bye-laws so as to ensure a kind of uniformity as between the City and Civil Station, and the same communicated to Government early

By Order,

for Gl Secretary to Govt

Memo No L 13805 | HL 25 | 57

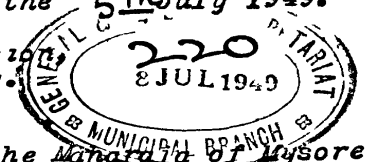
Copy of the above is forwarded with compliments to the Inspector General of Police in Mysore, Bangalore, for information

By Order,

for General Secretary to Govt

No.A.1/806/49
Emc. 2

Office of the Municipal Commission,
Civil Station, Bangalore,
Dated the 5th July 1949.



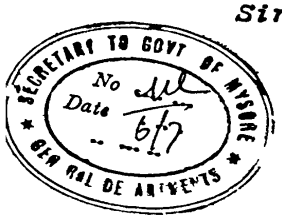
From

The President, Municipal Commission,
Civil Station, Bangalore.

To

The Secretary to the
Government of His Highness the Maharaja of Mysore,
General Department, BANGALORE.

Sir,



Subject.- Application of the Mysore Public Conveyance Act to the Civil Station and the issue of rules thereunder.

4445

I invite a kind reference to your letter No.L.13803-ML-11-48-2 dated the 25th June 1949 to the Deputy Commissioner, Bangalore District (Urban).

6/7/49

2. I examined the points raised in the letter referred to above and the result of my examination is as follows -

(1) There is no substantial difference between the provisions of the Mysore Public Conveyance Act 1911 and the Hackney Carriage Act, 1879.

(2) Rules under the two Acts were also similarly examined. There is only one difference of any material importance viz, while in City the Municipal Commissioner is the registering authority, in the Civil Station it is the Deputy Inspector-General of Police.

(3) The statement in the Government letter under reference that the Mysore Public Conveyance Act has come into force in the Civil Station does not appear to be correct, as under Section 4 of the Act, the Government has to issue a notification specifically applying the Act to the Station.

(4) As the Registering authority in the City is the Municipal Commissioner, while in the Station it is the Deputy Inspector General of Police, it is, in my opinion, not practicable to have uniform rules for both the City and the Civil Station for the present unless the rules in force in Bangalore City are amended in order to make the Deputy Inspector General of Police, the Registering authority. This will entail delay and protracted correspondence with the City Municipality

(5) The present position is not satisfactory inasmuch as there is no Hackney Carriage Act in force in the Station and no further delay is advisable In view of this circumstance it is necessary to give retrospective effect to the Act and Rules from the 15th August 1948.

(6) In my opinion the arrangement whereby the Deputy Inspector General of Police is the Registering authority is working satisfactorily and the same arrangement should be continued.

2. In the circumstances explained above, I suggested to the Municipal Commission that the Government be requested to issue a notification under section 4 of the Mysore Public Conveyance Act, applying the Act to the Civil Station, with retrospective effect from the 15th August 1948. I also suggested that the existing rules for the registration and control of Hackney Carriages, issued under the old Act and amended from time to time, be deemed to have been issued under Section 4 of the Mysore Public Conveyance Act (Act VII of 1911) and to have been in force in the Civil Station from the 15th August 1948. The subject was placed before the special meeting of the Municipal Commission held on the 29th June 1949 and the Commission approved my suggestion - vide copy of the resolution enclosed. Enc I

3 I therefore, request that the Government may be pleased to confirm the resolution and to issue the necessary notification under Section 4 of the Act. I also attach a draft notification for publication in the Mysore Gazette as soon as possible Enc II.

Yours faithfully,

President, M C. 4/7

MVL.
4-7-49.

4/7

(Enc.I. Municipal Commission's resolution dated the 29th June 1949. (Special Meeting).

21. Consideration of the question of the application of the Mysor Hackney Carriage Act to the Civil Station and the issue of rules thereunder - vide letter from the Government dated the 28th May 194

Resolved that the President's note on the subject be approved and that the Government be informed that the Mysore Public Conveyance Act, 1911, was not yet in force in the Civil Station, as the necessary notification specifically applying the Act to the Station under Section 4 has not been issued and that the Government be requested to take necessary action at an early date to apply the Act giving retrospective effect from the 15th August 1948.

Resolved also that the Government be informed that inasmuch as the Registering Officer in Bangalore City was the Municipal Commissioner while in the Station it was the Deputy Inspector General of Police, it was not possible to have uniform rules in both the areas unless the City rules were also amended.

Resolved further that as the above course would entail delay and as the arrangement in force in the Civil Station, whereby the Deputy Inspector General of Police was the Registering Authority, was satisfactory, the rules for the registration and control of hackney carriages issued under section 3 of the Hackney Carriage Act, 1879, published in Municipal Office Notification No.6141 dated the 21st January 1915, as amended from time to time, may be deemed to have been issued under section 4 of the Mysore Public Conveyance Act (Act VII of 1911) and to have been in force in the Civil Station of Bangalore from the 15th August 1948, and that the necessary notification in this regard be issued after approval of the resolution by the Government.

(The Municipal Commission did not consider it necessary to publish any draft notification for the information of the public as the effect of the resolution was only to continue the rules already in force in the Civil Station until the 15th August 1948)

(Sd). N. Puttarangaswamy,

President, M. C.

Enc.II.

No.

Office of the Municipal Commission,
Civil Station, Bangalore,
dated the (to be filled up)

N O T I F I C A T I O N

The Municipal Commission, Civil Station, Bangalore, has resolved at a special meeting held on the 29th June 1949, that the rules for the registration and control of hackney carriages issued under section 3 of the Hackney Carriage Act, 1879, published in Municipal Office notification No.6141 dated the 21st January 1915, as amended from time to time, shall be deemed to have been issued under section 4 of the Mysore Public Conveyance Act, 1911 (VII of 1911), and to have been in force in the Civil Station of Bangalore, from the 15th August 1948

The aforesaid resolution of the Municipal Commission has

P.T.O.

been confirmed by the Government of Mysore

President, M. C.

" Draft "

President, M. C.

MVL.
4-7-49.

Appendix F G—1]

SUBJECT

I copy

If correct

Section Irish

File No 11-48

Serial No 3

Diary No of letter replied to

No. Confidential
L 1868 | Pol 11-4-F-3
12/1945

Publicity Office

( )

the 194

Date of issue

Signed by

In exercise of the powers ~~vested in them under~~ conferred by section 4 of the Mysore Public Conveyances Act 1911 (VI of 1911) as amended from time to time, the Govt of H H the Maharaja of Mysore are pleased to apply ~~extend~~ the provisions of the said Act to the Municipalities ~~area~~ of the Civil Station of Bangalore ~~with immediate effect of~~

List of enclosures

Copied by

Examined by

WD 01000—G1 B—2000—J 1 48

Sd/- M. Visvesvaraya
Dewan

To,

the compiler, for publication in the next issue of the gazette

for publication immediately in Part IV Section 2B of the gazette and sending 10 copies of the notification each to 1) the D C Sangalore (Urban) Dist. 2) the P & J P and 3) the President Municipal Commission civil station, 4) the M/ Sangalore 5) the Secy, Bangalore Traffic Advn 2 Secn

Rem No: L 18,69-71/RL
12/1/49

Copy of the above is forwarded w/c to 1) the D C Sangalore (Urban) Dist with reference to his letter No 7389-J1-48-49 & 4-9-48

2) the President, Mun commission civil station, Sangalore, with reference to his letter No A 1-806/49 & 5-7-49 on the abject

3) the P & J P with reference to his unofficial note No C 524/48 49 & 11-3-49 on the subject

BD

Appendix F G—1]

SUBJECT

No 4

11

Section

File No 11-48

Serial No 4

Diary No of letter replied to

No L1872/RL 11-48-4
12/8/48

To

The President municipal
Commissioner, civil station
Bangalore

General and Revenue Secretariat

( )

the - *194*

Date of issue

Signed by

Sir,

I am directed to
invite reference to
notification No L 4-
applying the provisions
of the Bombay Public Conveyances
Act, 1911 to the municipal
area of the civil station
Bangalore and to
request you to have
rules framed afresh
as proposed in the section

List of enclosures

Copied by

Examined by

WD 02703—GPB—17 000—28 4 48

Thus causes necessitate an amendment to the fact that
of the Act ~~as~~ the Rules framed
under the Act the Hackney Carriages
Act ~~which~~ is in force in the area at present
Act cannot be deemed to
have been framed under the provisions of the
public conveyances Act, as
~~has been referred to~~ suggested in your
letter No A1/806/49 dt 5/7/49
on the subject, since the
procedure prescribed for framing the
bye-laws has not been
followed in this respect

yours faithfully
for
Agency
By
29/7/49

L 1842 | MU1-48-4
12/8/49

Bangalore.

The President,
Municipal Commissioner,
Civil Station, Bangalore.

Sir,

I am directed to invite reference to notification No L. 1868 | MU1-48-3 dated 12-8-49 applying the provisions of the Mysore Public Conveyance Act 1911 to the Municipal area of the Civil Station, Bangalore and to request you to have the necessary rules framed afresh as provided for under Section 4 of the Act This course is necessitated on account of the fact that the rules framed under the Hackney Carriages Act and which are in force in the area at present cannot be deemed to have been framed under the provisions of the Public Conveyance Act, as suggested in your letter No A1/806/49 dated 5th July 1949 on the subject as the procedure prescribed for framing the byelaws has not been followed in this respect

Yours faithfully,

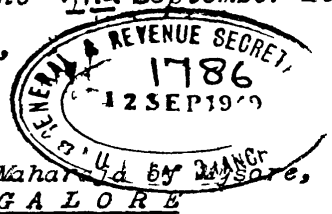
for General Secretary to Government

No A 1-806/49

Office of the Municipal Commission,
Civil Station, Bangalore,
dated the 2nd September 194

Enc 1 copy of M.C's Resolution
From dated 25-8-49

The President, Municipal Commission,
Civil Station, Bangalore.



The Secretary to the
Government of His Highness the Maharaja of Mysore,
General Department, BANGALORE

Sir,

Subject - Application of the Mysore Public Conveyance Act to the Civil Station and the issue of rules thereunder.

Reference - Correspondence ending with your letter No.L.1372/M1-11-43-4, dated the 12th August 1949

As desired in the above quoted letter necessary rules for the registration and control of Hackney Carriages in the Civil Station, were framed and placed before the meeting of the Municipal Commission held on the 25th August 1949. The Commission approved the rules and resolved that the Government be requested to confirm the draft rules - vide copy of the resolution enclosed.

2. The Commission felt no necessity to publish these rules as there is no material difference between the old rules and the draft rules now framed and as the changes proposed are routine and will not alter the existing position.

3 In the circumstances, I request that the Government may be pleased to confirm the draft rules very early as otherwise it will be illegal to take action under the rules framed under the old Hackney Carriage Act although the Mysore Public Conveyance Act has now been applied to the Station.

Yours faithfully,

President, M. C.

MVL.
1-9-49.

Resolved that in exercise of the powers conferred on the ... by Section 4 of the Mysore Public Conveyances Act, 1911, as applied to the Municipality of Civil Station of Bangalore, by Notification of the Government of His Highness the Maharaja of Mysore, No.L.1855-11-11-6-3, dated the 12th August 1949, the Municipal Commission of the Civil Station of Bangalore, have made the following draft rules for the registration and control of hackney carriages within the limits of the said Municipality in supersession of all previous rules framed on the subject and that the Government be requested to confirm the draft rules -

Rules for the registration and control of Hackney Carriages within the limits of the Civil Station of Bangalore.

1. No Hackney Carriage shall be let to hire, or taken to ply, or offered for hire, except under a license granted in that behalf under these rules or the Hackney Carriage Rules for the time being in force in Bangalore City and no horse, pony or mule shall be used with such carriage unless similarly licensed.

2. Every hackney carriage and horse or other animal licensed under rule 1 shall be annually licensed by the Registering Officer, and no person shall keep, or offer, or ply, for hire, any hackney carriage within the limits of the Civil Station, Bangalore, except under license granted in that behalf under these rules.

Note. - The Registering Officer shall be the officer, for the time being, holding the office of the Deputy Inspector-General of Police, Bangalore District (Urban).

3. Any license granted under these rules shall ordinarily continue in force until the 30th day of June after the grant of such license.

4. The Registering Officer shall receive applications for, and shall grant or refuse, licenses as he may think fit. He shall class every hackney carriage at his discretion in one of the four following classes:-

First Class - Carriages.
Second Class - Carriages.
Third Class - Jutkas.
Fourth Class - Bullock carts.

5. The license to be granted by the Registering Officer shall be in the form given in Schedule B of these rules and shall only be given for a turn-out including animal, carriage and harness, and its formal acceptance by the licensee shall be entered in the register provided for this purpose.

Note. - In the case of a partnership, company or firm, the name to be entered in the license shall be that of a partner, the Secretary or Manager, as the case may be.

6. The Registering Officer may, whenever necessary, cause to be painted on some conspicuous part of the hackney carriage its number and class, the year of license and the number of passengers it is licensed to carry. He may also cause a number to be stamped on such parts of the harness as he thinks fit and to be branded on the hoof of an animal licensed under rule 1.

A. If the words or figures so painted or stamped shall, during the time of license, become indistinct or obliterated, the owner of the carriage or harness shall produce it without delay before the Registering Officer and apply to have such words or figures renewed.

B. The numbering shall be done at the office of the Registering Officer.

C. The owner of a first or second class hackney carriage shall on receipt of a license, affix to his premises a board on which shall be painted his name and his hackney carriage license number.

7. No owner or driver of any hackney carriage shall, without sufficient the burden of proving which shall lie on each owner or driver,

Municipal Commission's resolution dated the 25th August 1949. (Special Meeting)

---

2. Approval of the draft rules for the registration and control of Hackney Carriages within the limits of the Civil Station, Bangalore.

(continued on next page).

at any time refuse to let such Hackney carriage for hire to any person desiring the same.

DRIVERS.

9. Every driver of a hackney carriage shall be annually licensed by the Registering Officer, who, if he thinks fit, may refuse to issue such a license, and no person shall drive any hackney carriage nor shall any owner of a hackney carriage, permit any person to drive such hackney carriage within, the limits of the Civil Station, Bangalore, except under license granted in that behalf under these rules, or the Hackney Carriage Rules for the time being in force in Bangalore City.

9. The license to be granted to a driver shall be in the form given in Schedule C of these rules. Such license shall be accompanied by a metal badge bearing the class and number of the license.

10. Every driver of a first or second class carriage shall be properly and cleanly clad when acting as such. He shall wear a turban neatly folded, a long coat extending below the hips, and trousers reaching to ankles. Over the coat he shall wear a waist belt not less than four inches wide, to which his metal badge shall be affixed above the right ....

11. A licensed driver when in charge of a hackney carriage shall stand in line with his carriage and keep proper order when at a carriage stand. He shall not take up the position on any hackney carriage stand which already contains the full complement of hackney carriages authorised for such stand by the Registering Officer. He shall not loiter or cause obstruction in public roads or thoroughfares or in any place where the public resort.

RICKSHAWS.

11. A. Not more than one person shall ride or be carried, in a public rickshaw, drawn by one puller, provided that a child under 8 years may be carried, in addition to one other passenger, when a rickshaw is drawn by a single puller.

11-b. No double rickshaw shall be licensed unless the Registering Officer is satisfied that the owner thereof has provided and continues to maintain two licensed pullers for it, and unless it is so constructed as to provide a cross shaft 6 feet long in front with sufficient space for two pullers to run on either side of the shaft to propel the rickshaw.

11. C. Every double rickshaw shall be propelled by not less than two pullers running in front of the rickshaw.

FEES.

12. The following fees shall be paid by owners to the Registering Officer on behalf of the Municipality for each license:-

* First class carriage and animal.	Rs.12 per annum.
* Second class carriage and animal.	" 8 -do-
Third class Jutka and pony.	" 4 -do-
Fourth class single bullock cart & animal.	" 3 -do-
Fourth class double bullock cart and animals.	" 6 -do-
Spare horse.	" 4 -do-
Spare pony and mule.	" 2 -do-
Spare bullock.	" 1 -do-
1st and 2nd or 3rd class driver.	" 1 -do-
4th class driver.	Rs. 8 -do-
Driver's metal badge.	" 8 -do-
License.	Rs. 1 -do-
List of fares.	Rs. 1 -do-
Rickshaw.	Rs. 2 -do-
-do- cooly license.	" 1 -do-

* If drawn by a pair of horses double these fees.
Δ When lost or not returned to the Registering Officer.

13. The fare which may be demanded for the hire of a hackney shall not exceed that specified in Schedule A of these rules.

14. The owner of every hackney carriage, unless exempted by the Registering Officer, shall put up, and at all times keep in such position as shall be directed by the Registering Officer, in or on such carriage, a clear and legible list showing the class and number of such carriage, and the rates and fares authorised to be taken for the hire of the same.

15. In the case of disputes as to the fare to be paid according to distance, any table or book signed by the Registering Officer shall be taken to be conclusive evidence of all the fares and distances therein stated.

16. The Registering Officer may, by written order, suspend or revoke, any license granted under rule 4 or 9 for any breach of these rules or of any condition under which a license is granted.

A license under rule 4 or 9 shall also be subject to suspension or revocation, if the Registering Officer is satisfied that the owner or driver has misconducted himself.

17. Every owner of a hackney carriage shall, on the expiry, revocation, or suspension of his hackney carriage license, forthwith remove the figures or words painted on his hackney carriage.

18. On the expiry, revocation or suspension of any license granted (i) under rule 4 the licensee, and (ii) under rule 9 the employer, shall forthwith return to the Registering Officer such license together with a badge issued with the license. A person employed as a licensed driver shall, when leaving service, deliver up to his employer the license and badge granted to him under rule 9.

19. (1) Notwithstanding anything contained in any Act or Regulation relating to hackney carriages for the time being in force, no owner or driver of a hackney carriage shall be bound to carry, in such hackney carriage, any person suffering from any contagious or infectious disease.

(2) No owner or driver shall, without previously disinfecting it to the satisfaction of the Registering Officer, knowingly use for hire any carriage used for the conveyance of any person suffering from any contagious or infectious disease.

(3) No owner or driver shall, without previously disinfecting it to the satisfaction of the Registering Officer, knowingly use for hire for the conveyance of any person any hackney carriage, if it has been used for the carriage of any dead body, or the carcass or meat or other parts of any dead animal.

20. All property left in any hackney carriage licensed under these rules shall be forthwith deposited by the driver or owner, as the case may be, in the office of the Registering Officer, or in the nearest Police Station.

Such property shall be returned to the person who shall prove to the satisfaction of the Registering Officer that the same belonged to him, on payment of all expenses reasonably incurred, and of such reasonable sum to the driver or owner as the Registering Officer may direct.

21. (i) The Registering Officer may for reasons to be recorded by him in writing, prohibit the use of any premises as premises in which hackney carriages or horses, ponies or bullocks registered for use in hackney carriages may be kept and may determine the number of hackney carriages and horses, ponies or bullocks registered for use in hackney carriages, that may be kept in any such premises.

(ii) The Registering Officer may also forbid the keeping of any vehicles, horses, ponies or bullocks other than those registered under the Hackney Carriage Rules, in any premises in which Hackney Carriages are kept.

(iii) After the issue of any such prohibition or order no person shall use such premises in contravention of such prohibition or order.

22. It shall be lawful for the Registering Officer, the Inspector of Hackney Carriages and any Inspector of Police, at any time to enter any premises in which hackney carriages are kept in order to carry out any provision of these rules, and the owner of such premises or his agents shall afford every facility for such inspection.

23. Prosecutions for breach of these rules may be instituted by any Police Officer, or Officer of the Hackney Carriage Department, or any other person authorised by the Registering Officer in writing.

SCHEDULE A.

1st Class Hackney Carriage.

Fares by Time and Distance, Schedule 'A' - Hackney Carriage Rules.

DRAWN BY ONE HORSE.

	Rates.
For one hour or less.	1- 8-
For every additional hour or part of an hour before midnight.	0-12-
For every additional hour or part of an hour after midnight.	1- 0-
For half a day i.e., six consecutive hours between 5 A.M. and 12 midnight.	6- 0-
For 1 day i.e., 12 consecutive hours between 5 A.M. and 12 midnight.	10- 0-

N.B. - These rates apply to all licensed hackney carriages hired within the Civil Station limits for journeys within the Station limits and to any place outside within 3 miles of the Station border and vice-versa, e.g. journeys to and from the City and Cantonment Railway Stations.

(2) If drawn by a pair of horses double these fares.

(3) Fares by distance will only apply in cases where the carriage is hired for a definite continuous journey (including return, if necessary).

	Rates.
For 3 miles and under.	1- 0-
For every succeeding mile or portion of a mile. ..	0- 8-
Waiting fee per 1/4 hour or portion thereof. ..	0- 4-

2nd CLASS HACKNEY CARRIAGES.

DRAWN BY ONE HORSE.

For one hour or less.	1- 4-
For every additional hour or part of an hour before midnight.	0- 8-
For every additional hour or part of an hour after midnight.	0-12-
For half a day i.e., six consecutive hours between 5 A.M. and 12 midnight.	3- 0-
For one day i.e., 12 consecutive hours between 5 A.M. and 12 midnight.	4- 0-

N.B. - (1) These rates apply to all licensed hackney carriages hired within the Civil Station limits for journeys within the Station limits and to any place outside within 3 miles of the Station border and vice-versa, e.g., journeys to and from the City and Cantonment Railway Stations.

(2) If drawn by a pair of horses double these fares.

(3) Fares by distance will only apply in cases where the carriage is hired for a definite continuous journey (including return, if necessary).

	Rs. as. ps.
For 3 miles and under.	1- 4- 0.
For every succeeding mile or portion of a mile.	0- 4- 0.
Waiting fee per 1/4 hour or portion thereof.	0- 4- 0.

3rd CLASS HACKNEY CARRIAGE (TONGA).

DRAWN BY ONE PONY.

For one hour or less.	0-12- 0.
For every additional hour or part of an hour before midnight.	0- 8- 0.
For every additional hour or part of an hour after midnight.	0- 8- 0.
For half-a-day, i.e., six consecutive hours between 5 A.M. and 12 midnight.	2- 0- 0.
For 1 day, i.e., 12 consecutive hours between 5 A.M. and 12 midnight.	3- 0- 0.

N.B. - (1) These rates apply to all licensed Hackney Carriages hired within the Civil Station limits for journeys within the station limits and to any place outside within 3 miles of the station border and vice-versa, e.g., journeys to and from the City and Cantonment Railway Stations.

(2) If drawn by a pair of horses double these fares.

(3) Fares by distance will only apply in cases where the carriage is hired for a definite continuous journey (including return, if necessary).

For a mile or portion of a mile.	
Waiting fee per 1/4 hour or portion thereof.	

4th CLASS HACKNEY CARRIAGE (BULLOCK CART).

DRAWN BY ONE BULLOCK.

For one hour or less.	0- 6- 0.
For every additional hour or part of an hour before midnight.	0- 3- 0.
For every additional hour or part of an hour after midnight.	0- 6- 0.
Maximum for 12 hours.	2- 0- 0.
Maximum for 24 hours.	3- 0- 0.

N.B. - (1) These rates apply to all licensed Hackney Carriages hired within the Civil Station limits for journeys within the station limits and to any place outside within 3 miles of the station border and vice versa, e.g., journeys to and from City and Cantonment Railway Stations.

(2) Fares by distance will only apply in cases where the carriage is hired for a definite continuous journey (including return, if necessary).

For a mile or portion of a mile.	0- 4- 0.

Fares by Time.	Day. Rs. as. ps.	Night charges after sunset and before sunrise. Rs. as. ps.
Single Rickshaw drawn by one man.		
For every 15 minutes, subject to a minimum charge of annas four.	0- 2- 0	0- 4- 0
Subject to a maximum charge per hour of	0- 6- 0	0- 8- 0
Double Rickshaw drawn by two men.		
For every 15 minutes, subject to a minimum charge of annas four.	0- 3- 0	0- 6- 0
Subject to a maximum charge per hour of	0- 9- 0	0-12- 0

N.B. - Not more than one adult and one child under twelve-years of age will be permitted to be carried in a Rickshaw marked "Single".

In any Rickshaw not marked "single" not more than two adults and one child may be carried. Two children under twelve years of age will be taken as equivalent to one adult, provided that not more than 3 persons in all may be carried in a single Rickshaw and not more than 3 persons in all in a Double Rickshaw.

CLASS B. - Two wheeled carts drawn by a pair of Bullocks or other animals.

FARES BY TIME.

For one hour or less.		0-12- 0.
For every additional hour or part of an hour before midnight.		0-6- 0.
For every additional hour or part of an hour after midnight.		0-3- 0.
Maximum for 12 hours.		4- 0-0.
Maximum for 24 hours.		5- 0-0.
Fares by Distance.	per mile.	0- 4-0.

CLASS C. - Two wheeled carts drawn by a single Bullock or other animal.

FARES BY TIME.

For one hour or less.		0- 6- 0.
For every additional hour or part of an hour before midnight.		0- 3- 0.
For every additional hour or part of an hour after midnight.		0- 6- 0.
Maximum for 12 hours.		2- 3- 0.
Maximum for 24 hours.		3- 0- 0.
Fares by Distance.	per mile.	0- 3- 0.

SCHEDULE E.

Owner's license,
Hackney Carriage, license No.
Class.

Stamp of
Hackney Carriage
Department.

By virtue of the powers vested in me by . . . . I grant to you . . . of . . . . this license to keep at your premises at . . . . . and to let for hire the . . . . numbered as above from the date hereof till the 30th June 19 . . . . on the conditions hereunder written :-

1st. That it shall be drawn by . . . . . .

2nd. That it shall carry such number of passengers not exceeding . . . . . as may be required, and shall also carry free of charge a reasonable quantity of luggage.

Provided that, in relation to the number of persons that may be carried in a Jutka :-

(1) a child not more than 12 years of age shall be reckoned as one-half and
(11) a child of not more than 3 years of age shall not be recknoed.

Note. - The total number of persons carried under this proviso shall not, however, exceed 6 excluding the driver".

3rd. That it shall ply for hire in the Civil Station, Bangalore.

Provided that in relation to the number of persons that may be carried in a single bullock cart :-

(1) A child not more than 12 years of age shall be reckoned as one half,
and
(2) A Child of not more than 3 years of age shall not be reckoned

Note. - The total number of persons carried under this provico shall not however exceed 9 excluding the driver.

4th. That it shall be produced for inspection at such place and

tins as may be directed by me.

5th. That in the event of its being damaged, you may, with my previous sanction in writing, use temporarily another carriage to which this license number shall be transferred free of charge.

6th. That you shall keep it, together with the animal (s) and harness used therewith in proper and serviceable condition.

7th. That as often as you change your residence or the premises in which you keep this carriage you shall give me notice thereof in writing within one week of such change submitting at the same time this license for the necessary alteration.

8th. That you shall provide such accommodation for it and for the animals used therewith as I may by order in writing require and shall kee such accommodation in proper and clean condition.

9th. That this license shall not be transferred to any other person without my written sanction.

Given under my hand and seal this . . . . . day of . . . . . .

Registering Officer,
Civil Station, Bangalore.

SCHEDULE C.

. . . . . Class. Stamp of Hackney Carriage Department.

Hackney Carriage Driver's License No. . . . . .

By virtue of the powers vested in me by . . . . . I grant to you . . . . . of . . . . . this license to ply for hire and pursue the occupation of Driver in the service of Hackney Carriage owner in any part of the Civil Station, Bangalore, from the date hereof till the 30th June 19 . . . . on the conditions hereunder written :-

1st. That you shall constantly when engaged in the said occupation wear conspicuously on such part of your person as the Registering Officer shall direct a metal badge, numbered as above.

2nd. That you shall, at all times when engaged in your said occupation, have with you this license and shall produce the same when required by any passenger, Police Officer on duty, or any person employed by the Hackney Carriage Department.

3rd. That you shall, when engaged for hire, drive . . . . . 's carriage to any place within the municipal limits of the Civil Station, Bangalore, to which you may be required by the hirer thereof to drive.

4th. That the carriage shall carry, such number of passengers not exceeding . . . . . as may be required, and shall also carry, free of charge a reasonable quantity of luggage.

Provided that, in relation to the number of persons that may be carried in a jutka :-

(i) a child not more than 12 years of age shall be reckoned as one-half and,

(ii) a child not more than 3 years of age shall not be reckoned.

Note. - The total number of persons carried under this proviso shall not, however, exceed 6 excluding the driver.

5th. That you shall not when engaged for hire, leave this carria without the permission of the hirer, or wilfully desert from such hiring before being discharged by the hirer.

6th. That this license or its accompanying badge be not transferre to any other person except at the request of the owner of this carriage and with my written sanction.

Given under my hand and seal this . . . . day of . . . . . .

Registering Officer,
Civil Station, Bangalore.

SCHEDULE D.

Jutka or Bullock Cart Drivers' License No.

Stamp of Hackney Carriage Department.

By virtue of the powers vested in me by . . . . . I grant to you . . . . . of . . . . . this license to ply for hire and pursue the occupation of driver in the service of Jutka / Bullock cart owner . . . . . in any part of the Civil Station, Bangalore, from the date hereof till the 30th June . . . on the conditions hereunder written :-

1st. That you shall constantly, when engaged in the said occupation wear conspicuously, on such part of your person as the Registering Officer shall direct a metal badge, numbered as above.

2nd. That you shall, at all times when engaged in your said occupation, have with you this license and shall produce the same, when required by any passenger, Police Officer on duty, or any person employed by the Hackney Carriage Department.

2nd A. That the Jutka / Bullock cart shall carry such number of passengers not exceeding . . . . as may be required, and shall also carry free of charge a reasonable quantity of luggage.

Provided that in relation to the number of persons that may be carried in a single bullock cart :-

(1) A child not more than 12 years of age shall be reckoned as one half,

and

(2) A child of not more than 3 years of age shall not be reckoned.

Note. - The total number of persons carried under this proviso shall not however exceed 9 excluding the driver.

3rd. That the license or its accompanying badge shall not be transferred to any other person without my written sanction.

Given under my hand and seal this . . . . day of . . .

Registering Officer,
Civil Station, Bangalore.

(Sd). N Puttarangaswamy,
President, M. C.

" COPY "

— 1/9

MVL.

President, M. C

No A 1-806/49 Office of the Municipal Commission,
Civil Station, Bangalore,
dated the 7th November 194

From

The President, Municipal Commission,
Civil Station, Bangalore.

GENERAL & PUBLIC DEPARTMENT SECRETARIAT
3108
10 NOV 1949
MUNICIPAL BRANCH

To

The Secretary to the
Government of His Highness the Maharaja of Mysore
General Department, B A N G A L O R E.

Sir,

Subject - Application of the Mysore Public Conveyance Act to the Civil Station and the issue of rules thereunder.

Reference - Correspondence ending with this office letter No A.1-806/49 dated the 13th October 1949

I invite a kind reference to the above and state that it is being proposed to the Government to continue the newly framed draft rules during the period of the interim Corporation so far as Civil Station is concerned i.e., until new rules are framed by the full fledged Corporation.

2. In the circumstances I request that the Government may be pleased to confirm the draft rules and communicate their orders immediately

Yours faithfully,

President, M C.

MVL.
7-11-49.

To 23

No. 4058
28-10-1949

The President,
Municipal Commissioner,
Civil Station,
Bangalore

Sir,

Sub Application of the Mysore Public Conveyance Act to the Civil Station and the issue of Rules thereunder

With reference to your letter no A1 806/49 dated 2.9.49 on the above subject, I am directed to request you to send a clear copy of the draft bye-laws as the bye-laws now sent by you is much blurred and is difficult to decipher. ~~The Annexe~~

Yours faithfully,
for General Secretary to Govt.

No A1/806/49 Office of the Municipal Commission,
Enc 1 set of rules Civil Station, Bangalore,
Dated the 13th October 1949.

From

The President, Municipal Commission,
Civil Station, BANGALORE.

GENERAL & REVENUE SECRETARIAT
9574
17 OCT 1949
MUNICIPAL BRANCH

To

The Secretary to the Government of His Highness the
Maharaja of Mysore, General Department,
BANGALORE.

To the Date the 20
GENERAL DEPARTMENTS

CM 6749-1

Sir,

Subject - Application of The Mysore Public Conveyance Act to the Civil Station and the issue of Rules thereunder
Reference - Your letter No L.4058, dated the 8th October 1949

As desired, I am enclosing a clear copy of the draft rules for the Registration and control of Hackeney carriages in the Civil Station

Yours faithfully,

12/10/49 to

VKR.
12/10/49

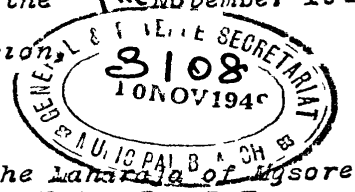
12/10/49 PRESIDENT, M. C.

No.A 1-806/49

Office of the Municipal Commission,
Civil Station, Bangalore,
dated the 7th November 1949

From

The President, Municipal Commission,
Civil Station, Bangalore.



To

The Secretary to the
Government of His Highness the Maharaja of Mysore,
General Department, BANGALORE.

Sir,

Subject - Application of the Mysore Public Conveyance Act to the Civil Station and the issue of rules thereunder.

Reference - Correspondence ending with this office letter No A.1-806/49 dated the 13th October 1949.

I invite a kind reference to the above and state that it is being proposed to the Government to continue the newly framed draft rules during the period of the interim Corporation so far as Civil Station is concerned i.e., until new rules are framed by the full fledged Corporation.

2. In the circumstances I request that the Government may be pleased to confirm the draft rules and communicate their orders immediately

Yours faithfully,

President, M. C.

MVL.
7-11-49.

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to 3/08/2[illegible]

General and Revenue Secretariat

( )

the *19*

Date of issue 21 2 1950

Signed by Sec Govt R [illegible]

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the

(vi) published in the Gazette Kannada Part?

4 Copies

Section CM

File No 6744

Serial No 2

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Letter no A 1-806/49 dated 13 10 49 from the President Mysore Civil Station. B/C forwarding for sanction draft Rules framed under Sec 4 of the Mysore public Conveyance Act 1944 for the Order thereon—No Registration and Licensing of Motor Vehicles in the civil station area to be in force until the framing of the Rules in this behalf are framed by the elected Corporation

Order no L 9039-40/D 21 2 50 W R

The Rules are appr[illegible]

List of Enclosures

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF ~~HIS HIGHNESS~~ THE MAHARAJA OF MYSORE

READ

Letter No A1-806/49 dated 13th October 1949 from the President, Municipal Commission, Civil Station, Bangalore, forwarding for sanction rules framed under Section 4 of the Mysore Public Conveyance Act, 1911, for the registration and control of Hackney Carriages in the Civil Station area to be in force until the framing of the new rules in this behalf by the elected Corporation

ORDER NO L 9039-40/CR 67-49-2

Dated, Bangalore, 21 2 1950

The rules are approved as appended hereto

The Commissioner is requested to send half a dozen printed copies of the rules for reference and record in this office

for Secretary to Government,
L S G Department

To

The Commissioner, Corporation of the City of Bangalore,
(Through the Mayor)
" Comptroller to Government

Rlt Records

O/C

To No. L 9774
W. Sec. 2 Collections
& 17 3 50
The Commissioner,
Corporation of the city
of Bangalore
(Thro' the Mayor)

Sir,

Sub Bye-laws for the Registration and Control of Hackneys Carriages in the Civil Station area, Bangalore

In continuation of ~~Head Office~~ G.O. No. L 9039-40 GM 67-49-2 dt. 21.2.50 on the above subject, I am directed to return herewith the marginally noted

1) File no 400(1) Collections (1) 9 1946
2) File no 400(2) Coll (2) 1946

Hon'ble Secy. Collectors should be
were sent to Government
for reference. Their receipt
may be acknowledged

Yours faithfully,

for Secy to Govt
W. L & G Dept

Submitted with a draft letter
for approval

Sd/- 31-5-20

Sd/- 1/7/20

Hon'ble Chief Secretary,
Tamil Nadu Legislative
Assembly, Fort St. George
Returns the records

CORPORATION OF THE CITY OF BANGALORE

No A 1/Gl 524/49-50

CORPORATION OFFICES,
BANGALORE

Dated 29th March / 3rd April 1950.

GENERAL & REVENUE SECRETARIAT
12 APR 1950
MUNICIPAL BRANCH

FROM

THE COMMISSIONER,
BANGALORE CORPORATION,
BANGALORE

To

The Secretary to the Government of Mysore,
L S G Department,
BANGALORE

Dated 94

SIR,

I acknowledge the receipt of the marginally noted Residency Files, returned with your letter No L 8774, dated the 17th March 1950

1 File No 400 (1) collection (1) of 1946	(
2 File No 400 (2) collection (2) of 1946	(

FORWARDED WITH COMPLIMENTS

YOURS FAITHFULLY,

MAYOR

COMMISSIONER